

Dow AgroSciences LLC
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Indianapolis, IN 46268-1054

1015666
-001

308 Building/2A
November 16, 2004



Document Processing Desk - 6(a)(2)
Office of Pesticide Programs (7504C)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-0001

RE: FIFRA § 6(a)(2) Report
Vikane® Gas Fumigant
EPA Registration Number: 62719-004
Active Ingredient: Sulfuryl Fluoride
CAS Registry Number: 002699-79-8
DERBI: 152525
State: FL
Severity Category: H-A

Dow AgroSciences submits the following information in response to its understanding of the U.S. Environmental Protection Agency's interpretation of FIFRA § 6(a)(2). However, Dow AgroSciences has not concluded that this information regards an "unreasonable adverse effect on the environment" or that it is reportable under FIFRA § 6(a)(2).

Dow AgroSciences has been made aware of a human death in West Palm Beach, Florida allegedly involving Vikane® Gas Fumigant. Local law enforcement authorities as well as the Florida Department of Agriculture and Consumer Services (DACCS) are currently conducting an investigation of this incident. The state authorities investing the scene found no wrong doing on the part of the PCO and have been unable to determine whether the individual entered the tented structure. The toxicology evaluation by the Medical Examiner's office will reportedly take several weeks to determine, but we will forward the autopsy results, once available.

The Vikane® Gas Fumigant label states, "When fumigating, observe local, state and federal rules and regulations including such things as use of chloropicrin, clearing devices, positive-pressure self contained breathing apparatus, security requirements, and placement of warning signs: ... Extremely Hazardous Liquid and Vapor Under Pressure, Inhalation of Vapors may be Fatal." Under the "Aeration and Reentry" section of the label, use directions state, "...treated area must be aerated until the level of Sulfuryl fluoride is 5 ppm or less, as measured by a detection device with sufficient sensitivity such as an INTERSCAN or MIRAN gas analyzer." Within this section of the label it further states, "Do not reoccupy fumigation site, i.e. building, ship, vehicle or chamber, nor move vehicle until aeration is complete."

If you wish to discuss this matter further, please call me.

Regards,

A handwritten signature in black ink that reads "Shannon Bass".

Shannon Bass
Global EH&S Product Leader
(317) 337-4983

Prepared by:

A handwritten signature in black ink that reads "Kristi Speheger".

Kristi Speheger
Product Stewardship Administrator
(317) 337-4577

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JSB recd
11/29/04
copied for J. Blondell
11/29/04



152512

Voluntary Industry Reporting Form for 6(a)(2) Adverse Effects Incident Inf

Provide all known, required information. If required data field information is unknown, designate as:

Row 1	Reporter Name Dan Naber	Submission date.	Contact person (if different than reporter) Detective John Cogburn ID# 4810	Internal ID 867
Administrative Data	Address West Palm Beach FL		Address West Palm Beach Police Dept. West Palm Beach FL	
	Phone # [REDACTED]		Phone # [REDACTED]	
	Incident Status: Update 11/10/2004	Location and date of incident West Palm Beach FL 11/2/2004	Date registrant became aware of incident. 11/3/2004	Was incident part of larger study? No
Row 2	EPA Registration # (Product 1) 62719-4	EPA Registration # (Product 2)	EPA Registration # (Product 3)	
Pesticide(s) Involved	A.I. (s)	A.I. (s)	A.I. (s)	
	Product 1 name Vikane Gas Fumigant	Product 2 Name	Product 3 Name	
	Exposed to concentrate prior to dilution? NA	Exposed to concentrate prior to dilution?	Exposed to concentrate prior to dilution?	
	Formulation:	Formulation:	Formulation:	
Row 3	Evidence label directions were not followed? Yes Intentional misuse? Yes	Incident site: (examples include home, yard, school, industrial, nursery/greenhouse, surface water, commercial turf, building/office, forest/ woods, agricultural (specify crop) right-of-way (rail, utility, highway)). See Incident Description Notes	Situation (act of using product): (examples include mixing/loading, reentry, application, transportation, repair/ maintenance of application equipment, manufacturing/ formulating). See Incident Description Notes	
Incident Circumstances	Applicator certified PCO? Yes			
	How exposed: (examples include direct contact with treated surface, ingestion, spill, drift, runoff) See Incident Description Notes			

DERBI: 152512
 Report: Yes ☒ No ☐
 If no, why: _____
 Date: **11-4-04**
 SC **H-A**

Personal privacy

Brief description of incident circumstances.

--- Wed Nov 3, 2004 @ 17:21

Caller owns a PCO company, Revenge Pest Control. He just received a call from police who stated a man just walked out of a tented residence being treated with Vikane and has died on the front lawn. He has no other information, he wants to report it at this time. He is on his way to the residence and will be meeting with the police officer on the scene. I asked that he call back with info as soon as he is made aware.

Notified Shannon Bass of incident. Will contact her again when I received more info. Use cell phone to contact Shannon [REDACTED]

--- Wed Nov 3, 2004 @ 19:00

I called back David to receive an update. He states the dwelling involved is a home with an efficiency apartment attached. Both dwellings were tented on Monday and Vikane was applied Tues. Tuesday evening the 19 yo male resident of the efficiency apartment broke into his apartment to retrieve his wallet. It is unknown how long he was in the dwelling. He then exited and returned to a friend's home. This morning at an unknown time he was found unresponsive at the friend's home. The other residents of the dwelling state they contacted poison control who recommended 'he sleep it off'. At some unknown time later the police were contacted and the gentleman was found dead. He does have a history of abuse of morphine and oxycotin. No readings have yet been taken on the dwelling but it has been ventilated. David supplied us with the detective on the case:

John Cogburn ID# 4810

[REDACTED]
Case # 04-12-9992

I told David to contact us if any new info received. He will speak with his rep (Rudy) in the am.

Shannon Bass has been informed of the case. She directed us to contact her via her cell phone of any further developments. She can be notified in am of any new information unless a media contact is made tonight or some other major bit of information is discovered

--- Thu Nov 4, 2004 @ 10:36

Addendum to previous note:

David stated that the police detective informed him it would take 3 weeks to receive results of lab tests

--- Thu Nov 4, 2004 @ 11:56

Left message for Detective Cogburn to follow-up with the Dow Agro Medical Emergency Response Center regarding this incident.

--- Thu Nov 4, 2004 @ 18:58 By 102:Dean Filandrinos ---

Detective Cogburn called back. He stated that the decedent entered his home by breaking in to obtain his wallet around 8pm. He left at an unknown time and went to friend's home. He took a shower upon arriving and while in the shower became lethargic. He was helped out of shower to a bed. At 7 am he could not be aroused. Paramedics were not contacted until 4:30pm and on arrival he was found deceased. Det Cogburn spoke with ME office who stated he would not have any results from tests for 8-12 weeks. Det Cogburn also stated that state Ag Dept investigated scene and found that there was no wrong doing on the part of the PCO

--- Wed Nov 10, 2004 @ 11:52

Received an update from Dr. Brownson of Dow AgroSciences who received the following email communication from Detective Cogburn

The Forensic Investigator from the Medical Examiner's Office assigned to this case is Heron Ruiz. He can be reached at (561) 688-4581 FAX (561) 688-4592. My preliminary investigation indicates that this is an accidental death. The case will hinge on toxicology results from the ME's Office. It can take as long as 12 weeks to get a return on a toxicology analysis. There is information that leads me to believe this may be an accidental drug overdose based on the history and background of the deceased.

Once the toxicology is back, I will then be able to close my investigation. If you need a copy of the report when it is done, you can contact the Palm Beach County Sheriff's Office Central Records Division as (561) 688-3000.

Voluntary Industry Reporting Form for 6(a)(2) Incident Information Involving Humans

Provide all known, required information. If required data field information is unknown, designate as such in appropriate area. Page# 3 of 3

Demographic information: Age: <i>19 yrs</i> Sex: <i>M</i> Occupation (if relevant) <i>NA</i>	Exposure route: <i>Inhalation</i>	Was adverse effect result of suicide/homicide or attempted suicide/homicide? <i>No</i>	Was protective clothing worn (specify)? <i>Not applicable</i>
If female, pregnant? <i>DNQ</i>	Was exposure occupational? <i>No</i> If yes, days lost due to illness: <i>NA</i>	Time between exposure and onset of symptoms: <i>Unable to determine</i>	
Type of medical care sought: (examples include none, clinic, hospital emergency department, private physician, PCC, hospital inpatient). <i>Emergency Medical Service</i>	List signs/symptoms/adverse effects <i>Coma</i>		If lab tests were performed, list test names and results (If available, submit reports) <i>None Reported</i>
Exposure data: Amount of pesticide: Exposure duration: <i>Acute, ≤ 8 hours</i> Weight: <i>UNK</i>			
Human severity category: <i>HA</i>			

This box can be used to provide any explanatory or qualifying information surrounding the incident. (add additional pages if necessary)

Circumstances surrounding this incident remain questionable. If significant and potentially fatal exposure to Vikane occurred, there would not typically be a delayed onset of toxicological effects as appears to be described in this case, where the victim was reportedly able to ambulate to a friends home under his own power after exiting the fumigated home. A more descriptive timeline of events in this case as well as the witnessed accounts of the victims behavior after leaving the fumigated structure are needed in order to make a more informed assessment.

Internal ID #
867